

| United States Bankruptcy Court<br>Northern District of Illinois  |  |  |  |   |  |  | Voluntary Petition |  |                                     |
|--|--|--|--|---|--|--|--------------------|--|-------------------------------------|
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>Garcia, Refugio</b>   |  |  |  | Name of Joint Debtor (Spouse) (Last, First, Middle):<br><b>Garcia, Silvia</b>   |  |  |                    |  |                                     |
| All Other Names used by the Debtor in the last 8 years<br>(include married, maiden, and trade names):  |  |  |  | All Other Names used by the Joint Debtor in the last 8 years<br>(include married, maiden, and trade names):                     |  |  |                    |  |                                     |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete<br>EIN (if more than one, state all): <b>1090</b>  |  |  |  | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete<br>EIN (if more than one, state all): <b>3625</b> |  |  |                    |  |                                     |
| Street Address of Debtor (No. & Street, City, State & Zip Code):<br><b>418 S Villa Ave<br/>Addison, IL</b>   |  |  |  | Street Address of Joint Debtor (No. & Street, City, State & Zip Code):<br><b>418 S Villa Ave<br/>Addison, IL</b>                |  |  |                    |  |                                     |
| ZIPCODE <b>60101</b>   |  |  |  | ZIPCODE <b>60101</b>  |  |  |                    |  |                                     |
| County of Residence or of the Principal Place of Business:<br><b>DuPage</b>  |  |  |  | County of Residence or of the Principal Place of Business:<br><b>DuPage</b>   |  |  |                    |  |                                     |
| Mailing Address of Debtor (if different from street address):  |  |  |  | Mailing Address of Joint Debtor (if different from street address):   |  |  |                    |  |                                     |
| ZIPCODE  |  |  |  | ZIPCODE   |  |  |                    |  |                                     |
| Location of Principal Assets of Business Debtor (if different from street address above):  |  |  |  |   |  |  |                    |  |                                     |
| ZIPCODE  |  |  |  |   |  |  |                    |  |                                     |
| <b>Type of Debtor</b><br>(Form of Organization)<br>(Check <b>one</b> box.)<br><input checked="" type="checkbox"/> Individual (includes Joint Debtors)<br><i>See Exhibit D on page 2 of this form.</i><br><input type="checkbox"/> Corporation (includes LLC and LLP)<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other (If debtor is not one of the above entities,<br>check this box and state type of entity below.)<br>_____  |  |  | <b>Nature of Business</b><br>(Check <b>one</b> box.)<br><input type="checkbox"/> Health Care Business<br><input type="checkbox"/> Single Asset Real Estate as defined in 11<br>U.S.C. § 101(51B)<br><input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker<br><input type="checkbox"/> Clearing Bank<br><input type="checkbox"/> Other<br>_____<br><b>Tax-Exempt Entity</b><br>(Check box, if applicable.)<br><input type="checkbox"/> Debtor is a tax-exempt organization under<br>Title 26 of the United States Code (the<br>Internal Revenue Code). |   |  | <b>Chapter of Bankruptcy Code Under Which<br/>the Petition is Filed</b> (Check <b>one</b> box.)<br><input checked="" type="checkbox"/> Chapter 7<br><input type="checkbox"/> Chapter 9<br><input type="checkbox"/> Chapter 11<br><input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Chapter 13<br><input type="checkbox"/> Chapter 15 Petition for<br>Recognition of a Foreign<br>Main Proceeding<br><input type="checkbox"/> Chapter 15 Petition for<br>Recognition of a Foreign<br>Nonmain Proceeding<br>_____<br><b>Nature of Debts</b><br>(Check <b>one</b> box.)<br><input checked="" type="checkbox"/> Debts are primarily consumer<br>debts, defined in 11 U.S.C.<br>§ 101(8) as "incurred by an<br>individual primarily for a<br>personal, family, or house-<br>hold purpose."<br><input type="checkbox"/> Debts are primarily<br>business debts. |                    |  |                                     |
| <b>Filing Fee</b> (Check one box)<br><input checked="" type="checkbox"/> Full Filing Fee attached<br><input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only). Must<br>attach signed application for the court's consideration certifying that the debtor<br>is unable to pay fee except in installments. Rule 1006(b). See Official Form<br>3A.<br><input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must<br>attach signed application for the court's consideration. See Official Form 3B. |  |  |  |   | <b>Chapter 11 Debtors</b><br><b>Check one box:</b><br><input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).<br><input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).<br><b>Check if:</b><br><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts owed to non-insiders or<br>affiliates are less than \$2,190,000.<br>-----<br><b>Check all applicable boxes:</b><br><input type="checkbox"/> A plan is being filed with this petition<br><input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of<br>creditors, in accordance with 11 U.S.C. § 1126(b). |  |                    |  |                                     |
| <b>Statistical/Administrative Information</b><br><input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.<br><input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for<br>distribution to unsecured creditors.  |  |  |  |   |  |  |                    |  | THIS SPACE IS FOR<br>COURT USE ONLY |
| Estimated Number of Creditors<br><input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000  |  |  |  |   |  |  |                    |  |                                     |
| Estimated Assets<br><input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion                            |  |  |  |   |  |  |                    |  |                                     |
| Estimated Liabilities<br><input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion                       |  |  |  |   |  |  |                    |  |                                     |

|  |  |   |             |
|--|--|---|-------------|
| <b>Voluntary Petition</b><br>(This page must be completed and filed in every case)   |  | Name of Debtor(s):<br><b>Garcia, Refugio &amp; Garcia, Silvia</b>   |             |
| <b>Prior Bankruptcy Case Filed Within Last 8 Years</b> (If more than two, attach additional sheet)   |  |   |             |
| Location<br>Where Filed: <b>None</b>   |  | Case Number:  | Date Filed: |
| Location<br>Where Filed:   |  | Case Number:  | Date Filed: |
| <b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor</b> (If more than one, attach additional sheet)  |  |   |             |
| Name of Debtor:<br><b>None</b>   |  | Case Number:  | Date Filed: |
| District:  |  | Relationship:   | Judge:      |
| <b>Exhibit A</b><br>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)<br><br><input type="checkbox"/> Exhibit A is attached and made a part of this petition.   |  | <b>Exhibit B</b><br>(To be completed if debtor is an individual whose debts are primarily consumer debts.)<br>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.<br><br><b>X /s/ Derek Lofland</b> <b>7/21/08</b><br>Signature of Attorney for Debtor(s) Date |             |
| <b>Exhibit C</b><br>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?<br><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.<br><input checked="" type="checkbox"/> No  |  |   |             |
| <b>Exhibit D</b><br>(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)<br><input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.<br>If this is a joint petition:<br><input checked="" type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached a made a part of this petition.  |  |   |             |
| <b>Information Regarding the Debtor - Venue</b><br>(Check any applicable box.)<br><input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.<br><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.<br><input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.  |  |   |             |
| <b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b><br>(Check all applicable boxes.)<br><input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)<br><br>_____<br>(Name of landlord or lessor that obtained judgment)<br><br>_____<br>(Address of landlord or lessor)<br><br><input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and<br><input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.<br><input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)). |  |   |             |

| Voluntary Petition<br>(This page must be completed and filed in every case)  |  | Name of Debtor(s):<br><b>Garcia, Refugio &amp; Garcia, Silvia</b>   |  |
|--|--|---|--|
| <b>Signatures</b>  |  |   |  |
| <b>Signature(s) of Debtor(s) (Individual/Joint)</b><br><br>I declare under penalty of perjury that the information provided in this petition is true and correct.<br>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.<br>[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).<br>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.<br><br><b>X</b> <u>/s/ Refugio Garcia</u><br>Signature of Debtor <b>Refugio Garcia</b><br><br><b>X</b> <u>/s/ Silvia Garcia</u><br>Signature of Joint Debtor <b>Silvia Garcia</b><br><br>_____<br>Telephone Number (If not represented by attorney)<br><br><u>July 21, 2008</u><br>Date |  | <b>Signature of a Foreign Representative</b><br><br>I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.<br>(Check only <b>one</b> box.)<br><br><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.<br><br><input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.<br><br><b>X</b> _____<br>Signature of Foreign Representative<br><br>_____<br>Printed Name of Foreign Representative<br><br>_____<br>Date   |  |
| <b>Signature of Attorney*</b><br><br><b>X</b> <u>/s/ Derek Lofland</u><br>Signature of Attorney for Debtor(s)<br><b>Derek Lofland 6280490</b><br>Printed Name of Attorney for Debtor(s)<br><b>Gleason &amp; Gleason</b><br>Firm Name<br><b>77 W Washington, Ste 1218</b><br>Address<br><b>Chicago, IL 60602</b><br><b>(312) 578-9530</b><br>Telephone Number<br><b>July 21, 2008</b><br>Date<br><br>*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.  |  | <b>Signature of Non-Attorney Petition Preparer</b><br><br>I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.<br><br>_____<br>Printed Name and title, if any, of Bankruptcy Petition Preparer<br><br>_____<br>Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)<br><br>_____<br>Address<br><br>_____<br><br><b>X</b> _____<br>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.<br><br>_____<br>Date<br><br>Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:<br><br><br><br>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.<br><br><i>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.</i> |  |
| <b>Signature of Debtor (Corporation/Partnership)</b><br><br>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.<br><br>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.<br><br><b>X</b> _____<br>Signature of Authorized Individual<br><br>_____<br>Printed Name of Authorized Individual<br><br>_____<br>Title of Authorized Individual<br><br>_____<br>Date  |  |   |  |

**NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

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In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

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**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a “means test” designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in instalments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them,

using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### **Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### **Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### **3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

### **Certificate of [Non-Attorney] Bankruptcy Petition Preparer**

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer  
Address:

\_\_\_\_\_  
Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.)  
(Required by 11 U.S.C. § 110.)

**X** \_\_\_\_\_

Signature of Bankruptcy Petition Preparer of officer, principal, responsible person, or partner whose Social Security number is provided above.

### **Certificate of the Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

**Garcia, Refugio & Garcia, Silvia** \_\_\_\_\_

Printed Name(s) of Debtor(s)

**X /s/ Refugio Garcia** \_\_\_\_\_

Signature of Debtor

**7/21/2008**

Date

Case No. (if known) \_\_\_\_\_

**X /s/ Silvia Garcia** \_\_\_\_\_

Signature of Joint Debtor (if any)

**7/21/2008**

Date

IN RE:

Case No. \_\_\_\_\_

Garcia, Refugio

Chapter 7

Debtor(s)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE  
WITH CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]*

**If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.**

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

- ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
- ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
- ☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Refugio Garcia

Date: July 21, 2008

IN RE:

Case No. \_\_\_\_\_

Garcia, Silvia

Chapter 7

Debtor(s)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE  
WITH CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]*

**If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.**

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

- ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
- ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
- ☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Silvia Garcia

Date: July 21, 2008

IN RE:

Case No. \_\_\_\_\_

**Garcia, Refugio & Garcia, Silvia**

Chapter **7**

Debtor(s)

### SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE   | ATTACHED<br>(YES/NO) | NUMBER OF<br>SHEETS | ASSETS        | LIABILITIES   | OTHER       |
|--|----------------------|---------------------|---------------|---------------|-------------|
| A - Real Property  | Yes                  | 1                   | \$ 525,000.00 |               |             |
| B - Personal Property  | Yes                  | 3                   | \$ 22,750.00  |               |             |
| C - Property Claimed as Exempt   | Yes                  | 1                   |               |               |             |
| D - Creditors Holding Secured Claims   | Yes                  | 3                   |               | \$ 511,778.67 |             |
| E - Creditors Holding Unsecured Priority<br>Claims (Total of Claims on Schedule E) | Yes                  | 2                   |               | \$ 128.34     |             |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                              | Yes                  | 5                   |               | \$ 57,932.00  |             |
| G - Executory Contracts and Unexpired<br>Leases                                    | Yes                  | 1                   |               |               |             |
| H - Codebtors  | Yes                  | 1                   |               |               |             |
| I - Current Income of Individual<br>Debtor(s)                                      | Yes                  | 1                   |               |               | \$ 3,920.21 |
| J - Current Expenditures of Individual<br>Debtor(s)                                | Yes                  | 1                   |               |               | \$ 3,935.00 |
| TOTAL  |                      | 19                  | \$ 547,750.00 | \$ 569,839.01 |             |



IN RE:

Case No. \_\_\_\_\_

**Garcia, Refugio & Garcia, Silvia**

Chapter **7**

Debtor(s)

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

| Type of Liability   | Amount           |
|---|------------------|
| Domestic Support Obligations (from Schedule E)  | \$ <b>0.00</b>   |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)  | \$ <b>128.34</b> |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) | \$ <b>0.00</b>   |
| Student Loan Obligations (from Schedule F)  | \$ <b>0.00</b>   |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E                   | \$ <b>0.00</b>   |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                           | \$ <b>0.00</b>   |
| <b>TOTAL</b>  | \$ <b>128.34</b> |

**State the following:**

|   |                    |
|---|--------------------|
| Average Income (from Schedule I, Line 16)   | \$ <b>3,920.21</b> |
| Average Expenses (from Schedule J, Line 18)   | \$ <b>3,935.00</b> |
| Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20 ) | \$ <b>4,863.60</b> |

**State the following:**

|  |                  |                     |
|--|------------------|---------------------|
| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column               |                  | \$ <b>5,569.54</b>  |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.            | \$ <b>128.34</b> |                     |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column |                  | \$ <b>0.00</b>      |
| 4. Total from Schedule F   |                  | \$ <b>57,932.00</b> |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)               |                  | \$ <b>63,501.54</b> |



SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

| TYPE OF PROPERTY  | NONE | DESCRIPTION AND LOCATION OF PROPERTY               | HUSBAND, WIFE, JOINT, OR COMMUNITY | CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|---|------|--|------------------------------------|---|
| 1. Cash on hand.  |      | Cash on Hand                                       | J                                  | 100.00  |
| 2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.                       | X    |  |                                    |   |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.   | X    |  |                                    |   |
| 4. Household goods and furnishings, include audio, video, and computer equipment.   |      | Misc Household Goods                               | J                                  | 2,500.00  |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.   |      | Books, Pictures, Cds, DVDs, and other Collectibles | J                                  | 500.00  |
| 6. Wearing apparel.   |      | UsedClothing                                       |                                    | 500.00  |
| 7. Furs and jewelry.  |      | Misc Costume Jewelry                               | J                                  | 150.00  |
| 8. Firearms and sports, photographic, and other hobby equipment.  | X    |  |                                    |   |
| 9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.   | X    |  |                                    |   |
| 10. Annuities. Itemize and name each issue.   | X    |  |                                    |   |
| 11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).) | X    |  |                                    |   |
| 12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   |      | 401(k) w/ Current Employer - 100% Exempt           | H                                  | 12,000.00   |
| 13. Stock and interests in incorporated and unincorporated businesses. Itemize.   | X    |  |                                    |   |
| 14. Interests in partnerships or joint ventures. Itemize.   | X    |  |                                    |   |

IN RE **Garcia, Refugio & Garcia, Silvia**

Case No. \_\_\_\_\_

Debtor(s)

(If known)

**SCHEDULE B - PERSONAL PROPERTY**  
**(Continuation Sheet)**

| TYPE OF PROPERTY  | N<br>O<br>N<br>E | DESCRIPTION AND LOCATION OF PROPERTY                    | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTOR'S INTEREST IN<br>PROPERTY WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM OR<br>EXEMPTION |
|---|------------------|---|---------------------------------------|--|
| 15. Government and corporate bonds and other negotiable and non-negotiable instruments.   | <b>X</b>         |   |                                       |  |
| 16. Accounts receivable.  | <b>X</b>         |   |                                       |  |
| 17. Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.  | <b>X</b>         |   |                                       |  |
| 18. Other liquidated debts owed to debtor including tax refunds. Give particulars.  | <b>X</b>         |   |                                       |  |
| 19. Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.   | <b>X</b>         |   |                                       |  |
| 20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | <b>X</b>         |   |                                       |  |
| 21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  | <b>X</b>         |   |                                       |  |
| 22. Patents, copyrights, and other intellectual property. Give particulars.   | <b>X</b>         |   |                                       |  |
| 23. Licenses, franchises, and other general intangibles. Give particulars.  | <b>X</b>         |   |                                       |  |
| 24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | <b>X</b>         |   |                                       |  |
| 25. Automobiles, trucks, trailers, and other vehicles and accessories.  |                  | <b>1999 Ford Exbedition</b><br><b>2000 Chevy Blazer</b> | <b>J</b><br><b>J</b>                  | <b>3,000.00</b><br><b>4,000.00</b>   |
| 26. Boats, motors, and accessories.   | <b>X</b>         |   |                                       |  |
| 27. Aircraft and accessories.   | <b>X</b>         |   |                                       |  |
| 28. Office equipment, furnishings, and supplies.  | <b>X</b>         |   |                                       |  |
| 29. Machinery, fixtures, equipment, and supplies used in business.  | <b>X</b>         |   |                                       |  |
| 30. Inventory.  | <b>X</b>         |   |                                       |  |
| 31. Animals.  | <b>X</b>         |   |                                       |  |

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| TYPE OF PROPERTY  | N<br>O<br>N<br>E | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | CURRENT VALUE OF<br>DEBTOR'S INTEREST IN<br>PROPERTY WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM OR<br>EXEMPTION |
|---|------------------|--------------------------------------|---------------------------------------|--|
| 32. Crops - growing or harvested. Give<br>particulars.                  | X                |                                      |                                       |  |
| 33. Farming equipment and implements.                                   | X                |                                      |                                       |  |
| 34. Farm supplies, chemicals, and feed.                                 | X                |                                      |                                       |  |
| 35. Other personal property of any kind<br>not already listed. Itemize. | X                |                                      |                                       |  |
| TOTAL   |                  |                                      |                                       | 22,750.00  |

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:
(11 U.S.C. § 522(b)(2))
(11 U.S.C. § 522(b)(3))
Check if debtor claims a homestead exemption that exceeds \$136,875.

| DESCRIPTION OF PROPERTY   | SPECIFY LAW PROVIDING EACH EXEMPTION | VALUE OF CLAIMED EXEMPTION | CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS |
|---|--------------------------------------|----------------------------|--|
| SCHEDULE A - REAL PROPERTY  |                                      |                            |  |
| Single Family Residence located at 418 S Villa Ave, Addison, IL 60101 | 735 ILCS 5 §12-901                   | 30,000.00                  | 280,000.00   |
| SCHEDULE B - PERSONAL PROPERTY  |                                      |                            |  |
| Cash on Hand  | 735 ILCS 5 §12-1001(b)               | 100.00                     | 100.00   |
| Misc Household Goods  | 735 ILCS 5 §12-1001(b)               | 2,500.00                   | 2,500.00   |
| Books, Pictures, Cds, DVDs, and other Collectibles                    | 735 ILCS 5 §12-1001(b)               | 500.00                     | 500.00   |
| UsedClothing  | 735 ILCS 5 §12-1001(a)               | 500.00                     | 500.00   |
| Misc Costume Jewelry  | 735 ILCS 5 §12-1001(b)               | 150.00                     | 150.00   |
| 401(k) w/ Current Employer - 100% Exempt                              | 735 ILCS 5 §12-1006(a)               | 12,000.00                  | 12,000.00  |
| 1999 Ford Exbedition  | 735 ILCS 5 §12-1001(c)               | 4,800.00                   | 3,000.00   |

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME AND MAILING ADDRESS<br>INCLUDING ZIP CODE AND ACCOUNT NUMBER.<br><i>(See Instructions Above.)</i> | CODEBTOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND DESCRIPTION AND VALUE OF<br>PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF ANY |
|---|---|--|------------|--------------|----------|---|------------------------------|
| ACCOUNT NO. 284369-284369<br>City Of Chicago - Water Dept<br>PO Box 6330<br>Chicago, IL 60680-6330                | J   | Water Bill on 3459 W 23rd St, Chicago, IL<br><br>VALUE \$ 245,000.00                                 |            |              |          | 584.13  |                              |
| ACCOUNT NO. 5890013943923<br>Emc Mortgage<br>Po Box 293150<br>Lewisville, TX 75029                                | W   | Mortgage account opened 8/05<br><br>VALUE \$ 280,000.00  |            |              |          | 231,180.00  |                              |
| ACCOUNT NO.<br>Pierce And Associates<br>1 N Dearborn St Ste 1300<br>Chicago, IL 60602-4331                        |   | Assignee or other notification for:<br>Emc Mortgage<br><br>VALUE \$                                  |            |              |          |   |                              |
| ACCOUNT NO. 8307029851<br>Gmac Mortgage<br>1100 Virginia Drive<br>Fort Washington, PA 19034                       | W   | Revolving account opened 8/05<br><br>VALUE \$ 280,000.00   |            |              |          | 29,517.00   |                              |
| Subtotal<br>(Total of this page)  |   |  |            |              |          | \$ 261,281.13   | \$                           |
| Total<br>(Use only on last page)  |   |  |            |              |          | \$  | \$                           |

2 continuation sheets attached

(Report also on  
Summary of  
Schedules.)

(If applicable, report  
also on Statistical  
Summary of Certain  
Liabilities and Related  
Data.)

IN RE Garcia, Refugio & Garcia, Silvia

Case No. \_\_\_\_\_

Debtor(s)

(If known)

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
**(Continuation Sheet)**

| CREDITOR'S NAME AND MAILING ADDRESS<br>INCLUDING ZIP CODE AND ACCOUNT NUMBER.<br>(See Instructions Above.)                        | CODEBITOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND DESCRIPTION AND VALUE OF<br>PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF ANY |
|---|--|--|------------|--------------|----------|---|------------------------------|
| ACCOUNT NO. <b>852591167700001</b><br><b>State Farm FncI Svcs F</b><br><b>Po Box 5961</b><br><b>Madison, WI 53705</b>             | <b>X J</b>   | <b>Installment account opened 4/05</b><br><br><br><b>VALUE \$ 4,000.00</b>                           |            |              |          | <b>8,088.54</b>   | <b>4,088.54</b>              |
| ACCOUNT NO. <b>9215500015458001</b><br><b>Tcf Banking And Savings</b><br><b>801 Marquette Ave</b><br><b>Minneapolis, MN 55402</b> | <b>J</b>   | <b>Mortgage account opened 8/05</b><br><br><br><b>VALUE \$ 245,000.00</b>                            |            |              |          | <b>221,830.00</b>   |                              |
| ACCOUNT NO.<br><b>TCF</b><br><b>800 Burr Ridge Pkwy</b><br><b>Burr Ridge, IL 60527-6486</b>                                       |  | <b>Assignee or other notification for:</b><br><b>Tcf Banking And Savings</b><br><br><b>VALUE \$</b>  |            |              |          |   |                              |
| ACCOUNT NO. <b>9209600004558001</b><br><b>Tcf Banking And Savings</b><br><b>801 Marquette Ave</b><br><b>Minneapolis, MN 55402</b> | <b>J</b>   | <b>Mortgage account opened 7/06</b><br><br><br><b>VALUE \$ 245,000.00</b>                            |            |              |          | <b>19,098.00</b>  |                              |
| ACCOUNT NO. <b>07 CH 27988</b><br><b>Tcf National Bank</b>  | <b>H</b>   | <br><br><br><b>VALUE \$</b>  |            |              |          | <b>1,481.00</b>   | <b>1,481.00</b>              |
| ACCOUNT NO.<br><b>David T Cohen &amp; Associates, LTD</b><br><b>10729 W 159th St</b><br><b>Orland Park, IL 60467</b>              |  | <b>Assignee or other notification for:</b><br><b>Tcf National Bank</b><br><br><b>VALUE \$</b>        |            |              |          |   |                              |
| Sheet no. <u>1</u> of <u>2</u> continuation sheets attached to<br>Schedule of Creditors Holding Secured Claims                    |  | Subtotal<br>(Total of this page)   |            |              |          | <b>\$ 250,497.54</b>  | <b>\$ 5,569.54</b>           |
|   |  | Total<br>(Use only on last page)   |            |              |          | \$  | \$                           |

(Report also on  
Summary of  
Schedules.)(If applicable, report  
also on Statistical  
Summary of Certain  
Liabilities and Related  
Data.)



IN RE **Garcia, Refugio & Garcia, Silvia**

Case No. \_\_\_\_\_

Debtor(s)

(If known)

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
**(Continuation Sheet)**

| CREDITOR'S NAME AND MAILING ADDRESS<br>INCLUDING ZIP CODE AND ACCOUNT NUMBER.<br><i>(See Instructions Above.)</i> | CODEBITOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND DESCRIPTION AND VALUE OF<br>PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF ANY |
|---|--|--|------------|--------------|----------|---|------------------------------|
|   |  |  |            |              |          |   |                              |
| ACCOUNT NO.   |  | <b>Assignee or other notification for:<br/>Tcf National Bank</b>                                     |            |              |          |   |                              |
| <b>H And F Law<br/>33 N Lasalle<br/>Chicago, IL 60602</b>   |  |  |            |              |          |   |                              |
|   |  | VALUE \$   |            |              |          |   |                              |
| ACCOUNT NO.   |  |  |            |              |          |   |                              |
|   |  | VALUE \$   |            |              |          |   |                              |
| ACCOUNT NO.   |  |  |            |              |          |   |                              |
|   |  | VALUE \$   |            |              |          |   |                              |
| ACCOUNT NO.   |  |  |            |              |          |   |                              |
|   |  | VALUE \$   |            |              |          |   |                              |
| ACCOUNT NO.   |  |  |            |              |          |   |                              |
|   |  | VALUE \$   |            |              |          |   |                              |
| ACCOUNT NO.   |  |  |            |              |          |   |                              |
|   |  | VALUE \$   |            |              |          |   |                              |

Sheet no. **2** of **2** continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

Subtotal  
(Total of this page)

\$

\$

Total  
(Use only on last page)

\$

**511,778.67**

\$

**5,569.54**

(Report also on  
Summary of  
Schedules.)

(If applicable, report  
also on Statistical  
Summary of Certain  
Liabilities and Related  
Data.)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

- ☐ **Domestic Support Obligations**  
Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
- ☐ **Extensions of credit in an involuntary case**  
Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
- ☐ **Wages, salaries, and commissions**  
Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
- ☐ **Contributions to employee benefit plans**  
Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
- ☐ **Certain farmers and fishermen**  
Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
- ☐ **Deposits by individuals**  
Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
- ☒ **Taxes and Certain Other Debts Owed to Governmental Units**  
Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
- ☐ **Commitments to Maintain the Capital of an Insured Depository Institution**  
Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
- ☐ **Claims for Death or Personal Injury While Debtor Was Intoxicated**  
Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS  
(Continuation Sheet)

Taxes and Other Certain Debts Owed to Governmental Units

(Type of Priority for Claims Listed on This Sheet)

| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE AND ACCOUNT NUMBER.<br>(See Instructions above.)   | CODEBTOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED<br>AND CONSIDERATION FOR CLAIM | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM             | AMOUNT<br>ENTITLED<br>TO<br>PRIORITY | AMOUNT<br>NOT<br>ENTITLED<br>TO<br>PRIORITY,<br>IF ANY |
|---|---|--|------------|--------------|----------|-----------------------------------|--------------------------------------|--|
| ACCOUNT NO. xxx-xx-1090<br>Illinois Department Of Revenue<br>Bankruptcy Section Level 7-425<br>100 W Randolph St<br>Chicago, IL 60601-3218                      | J   | State Tax Liability                                    |            |              |          | 128.34                            | 128.34                               |  |
| ACCOUNT NO.   |   |  |            |              |          |                                   |                                      |  |
| ACCOUNT NO.   |   |  |            |              |          |                                   |                                      |  |
| ACCOUNT NO.   |   |  |            |              |          |                                   |                                      |  |
| ACCOUNT NO.   |   |  |            |              |          |                                   |                                      |  |
| ACCOUNT NO.   |   |  |            |              |          |                                   |                                      |  |
| ACCOUNT NO.   |   |  |            |              |          |                                   |                                      |  |
| Sheet no. 1 of 1 continuation sheets attached to<br>Schedule of Creditors Holding Unsecured Priority Claims   |   |  |            |              |          | Subtotal<br>(Totals of this page) | \$ 128.34                            | \$ 128.34  |
| Total<br>(Use only on last page of the completed Schedule E. Report also on the Summary of Schedules.)  |   |  |            |              |          | Total                             | \$ 128.34                            |  |
| Total<br>(Use only on last page of the completed Schedule E. If applicable,<br>report also on the Statistical Summary of Certain Liabilities and Related Data.) |   |  |            |              |          |                                   | \$ 128.34                            |  |

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br><i>(See Instructions Above.)</i>   | CODEBTOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
|---|---|--|------------|--------------|----------|-----------------------|
| ACCOUNT NO.<br><b>12 Hsbc Bank Na</b>   | <b>H</b>  |  |            |              |          | <b>1,439.00</b>       |
|   |   |  |            |              |          |                       |
| ACCOUNT NO.<br><b>Natlamerican<br/>1 Allied Drive<br/>Trevose, PA 19053</b>   |   | <b>Assignee or other notification for:<br/>12 Hsbc Bank Na</b>                                     |            |              |          |                       |
|   |   |  |            |              |          |                       |
| ACCOUNT NO.<br><b>All Credit Lenders<br/>691 W North Ave<br/>Elmhurst, IL 60126</b>   | <b>J</b>  | <b>payday loan</b>   |            |              |          | <b>500.00</b>         |
|   |   |  |            |              |          |                       |
| ACCOUNT NO. <b>11060558021645256</b><br><b>American General Finan<br/>20 N Clark St<br/>Chicago, IL 60602</b>   | <b>H</b>  | <b>Installment account opened 11/06</b>  |            |              |          | <b>2,011.00</b>       |
|   |   |  |            |              |          |                       |
| Subtotal<br>(Total of this page)  |   |  |            |              |          | <b>\$ 3,950.00</b>    |
| Total<br>(Use only on last page of the completed Schedule F. Report also on<br>the Summary of Schedules and, if applicable, on the Statistical<br>Summary of Certain Liabilities and Related Data.) |   |  |            |              |          | <b>\$</b>             |

4 continuation sheets attached

IN RE **Garcia, Refugio & Garcia, Silvia**

Case No. \_\_\_\_\_

Debtor(s)

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
**(Continuation Sheet)**

| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.)      | CODEBTOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
|---|---|--|------------|--------------|----------|-----------------------|
| ACCOUNT NO.<br><b>Bally Total Fitness<br/>Attn Member Services<br/>PO Box 1090<br/>Norwalk, CA 90651-1090</b> | <b>J</b>  |  |            |              |          | <b>0.00</b>           |
| ACCOUNT NO. <b>41170900612502</b><br><b>Beneficial/hfc<br/>961 Weigel Dr<br/>Elmhurst, IL 60126</b>           | <b>H</b>  | <b>Open account opened 11/04</b>   |            |              |          | <b>12,324.00</b>      |
| ACCOUNT NO.<br><b>Friedman &amp; Wexler<br/>500 W Madison St Ste 2910<br/>Chicago, IL 60661-4571</b>          |   | <b>Assignee or other notification for:<br/>Beneficial/hfc</b>                                      |            |              |          |                       |
| ACCOUNT NO. <b>426684112404</b><br><b>Chase<br/>Po Box 100018<br/>Kennesaw, GA 30156</b>                      | <b>W</b>  | <b>Revolving account opened 12/06</b>  |            |              |          | <b>5,852.00</b>       |
| ACCOUNT NO. <b>441716807226</b><br><b>Chase<br/>Po Box 100018<br/>Kennesaw, GA 30156</b>                      | <b>H</b>  | <b>Revolving account opened 1/96</b>   |            |              |          | <b>2,461.00</b>       |
| ACCOUNT NO.<br><b>Michael D Fine<br/>131 S Dearborn St<br/>Chicago, IL 60603-5517</b>                         |   | <b>Assignee or other notification for:<br/>Chase</b>   |            |              |          |                       |
| ACCOUNT NO. <b>542418041118</b><br><b>Citi<br/>Po Box 20507<br/>Kansas City, MO 64915</b>                     | <b>H</b>  | <b>Revolving account opened 6/01</b>   |            |              |          | <b>7,557.00</b>       |

Sheet no. 1 of 4 continuation sheets attached to  
Schedule of Creditors Holding Unsecured Nonpriority ClaimsSubtotal  
(Total of this page) \$ **28,194.00**(Use only on last page of the completed Schedule F. Report also on  
the Summary of Schedules, and if applicable, on the Statistical  
Summary of Certain Liabilities and Related Data.)  
\$

IN RE **Garcia, Refugio & Garcia, Silvia**

Case No. \_\_\_\_\_

Debtor(s)

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
**(Continuation Sheet)**

| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.)   | CODEBTOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
|--|---|--|------------|--------------|----------|-----------------------|
| ACCOUNT NO. <b>603259032533</b><br><b>Citifinancial Retail S</b><br><b>Po Box 140489</b><br><b>Irving, TX 75014</b>                              | <b>W</b>  | <b>Revolving account opened 10/06</b>  |            |              |          | <b>57.00</b>          |
| ACCOUNT NO.<br><b>Home Depot Credit Services</b><br><b>Attn Bankruptcy</b><br><b>PO Box 9101</b><br><b>Des Moines, IA 50368-0001</b>             |   | <b>Assignee or other notification for:</b><br><b>Citifinancial Retail S</b>                        |            |              |          |                       |
| ACCOUNT NO.<br><b>Comcast</b>  | <b>H</b>  | <b>Open account opened 6/07</b>  |            |              |          | <b>69.00</b>          |
| ACCOUNT NO.<br><b>Credit Protection Asso</b><br><b>Po Box 802068</b><br><b>Dallas, TX 75380</b>  |   | <b>Assignee or other notification for:</b><br><b>Comcast</b>                                       |            |              |          |                       |
| ACCOUNT NO. <b>16 26 210 001 0000</b><br><b>Cook County Treasurer's Office</b><br><b>118 N. Clark St., Suite 112</b><br><b>Chicago, IL 60602</b> | <b>J</b>  |  |            |              |          | <b>0.00</b>           |
| ACCOUNT NO.<br><b>H &amp; R Block Bank</b><br><b>PO Box 3052</b><br><b>Milwaukee, WI 53201-3052</b>  | <b>J</b>  | <b>overdraft</b>   |            |              |          | <b>73.00</b>          |
| ACCOUNT NO.<br><b>Hsbc Card Services Iii Inc.</b>  | <b>H</b>  | <b>Open account opened 12/07</b>   |            |              |          | <b>4,769.00</b>       |

Sheet no. 2 of 4 continuation sheets attached to  
Schedule of Creditors Holding Unsecured Nonpriority ClaimsSubtotal  
(Total of this page) \$ **4,968.00**(Use only on last page of the completed Schedule F. Report also on  
the Summary of Schedules, and if applicable, on the Statistical  
Summary of Certain Liabilities and Related Data.)  
\$

IN RE Garcia, Refugio &amp; Garcia, Silvia

Case No. \_\_\_\_\_

Debtor(s)

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
**(Continuation Sheet)**

| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.)                  | CODEBTOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
|---|---|--|------------|--------------|----------|-----------------------|
| ACCOUNT NO.<br><b>Worldwide Asset Purcha<br/>101 Convention Center St<br/>Las Vegas, NV 89109</b>                         |   | <b>Assignee or other notification for:<br/>Hsbc Card Services Iii Inc.</b>                         |            |              |          |                       |
| ACCOUNT NO. <b>037081028552</b><br><b>Kohls/chase<br/>Po Box 3120<br/>Milwaukee, WI 53201</b>                             | <b>W</b>  | <b>Revolving account opened 8/03</b>   |            |              |          | <b>234.00</b>         |
| ACCOUNT NO. <b>396335</b><br><b>Nicor Gas<br/>1844 Ferry Road<br/>Naperville, IL 60507</b>                                | <b>H</b>  | <b>Open account opened 6/04</b>  |            |              |          | <b>865.00</b>         |
| ACCOUNT NO. <b>102461120840001</b><br><b>Nissan Motor Acceptanc<br/>Po Box 660366<br/>Dallas, TX 75266</b>                | <b>W</b>  | <b>Installment account opened 4/08</b>   |            |              |          | <b>14,505.00</b>      |
| ACCOUNT NO. <b>GM104767-00</b><br><b>Short Term Loans Llc<br/>1400 E Touhy Ave Ste 108<br/>Des Plaines, IL 60018-3338</b> | <b>J</b>  | <b>Payday Loan</b>   |            |              |          | <b>400.00</b>         |
| ACCOUNT NO. <b>4352376699820809</b><br><b>Target Nb<br/>Po Box 673<br/>Minneapolis, MN 55440</b>                          | <b>H</b>  | <b>Revolving account opened 4/97</b>   |            |              |          | <b>766.00</b>         |
| ACCOUNT NO. <b>6035320134583564</b><br><b>Thd/cbsd<br/>Po Box 20507<br/>Kansas City, MO 64195</b>                         | <b>H</b>  | <b>Revolving account opened 6/97</b>   |            |              |          | <b>1,136.00</b>       |

Sheet no. **3** of **4** continuation sheets attached to  
Schedule of Creditors Holding Unsecured Nonpriority ClaimsSubtotal  
(Total of this page) \$ **17,906.00**(Use only on last page of the completed Schedule F. Report also on  
the Summary of Schedules, and if applicable, on the Statistical  
Summary of Certain Liabilities and Related Data.)  
\$

IN RE **Garcia, Refugio & Garcia, Silvia**

Case No. \_\_\_\_\_

Debtor(s)

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
**(Continuation Sheet)**

| CREDITOR'S NAME, MAILING ADDRESS<br>INCLUDING ZIP CODE, AND ACCOUNT NUMBER.<br>(See Instructions Above.)               | CODEBTOR<br>HUSBAND, WIFE, JOINT,<br>OR COMMUNITY | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM IS<br>SUBJECT TO SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF<br>CLAIM |
|--|---|--|------------|--------------|----------|-----------------------|
| ACCOUNT NO. <b>4211170484778789</b><br><b>Wffinancial</b><br><b>Po Box 60510</b><br><b>Los Angeles, CA 90060</b>       | <b>W</b>  | <b>Installment account opened 11/04</b>  |            |              |          | <b>1,893.00</b>       |
| ACCOUNT NO.<br><b>Fms Inc</b><br><b>PO Box 707600</b><br><b>Tulsa, OK 74170</b>  |   | <b>Assignee or other notification for:</b><br><b>Wffinancial</b>                                   |            |              |          |                       |
| ACCOUNT NO. <b>107130665211485</b><br><b>Wffinancial</b><br><b>9620 S Roberts Rd</b><br><b>Hickory Hills, IL 60457</b> | <b>H</b>  | <b>Installment account opened 7/06</b>   |            |              |          | <b>1,021.00</b>       |
| ACCOUNT NO.  |   |  |            |              |          |                       |
| ACCOUNT NO.  |   |  |            |              |          |                       |
| ACCOUNT NO.  |   |  |            |              |          |                       |
| ACCOUNT NO.  |   |  |            |              |          |                       |

Sheet no. **4** of **4** continuation sheets attached to  
Schedule of Creditors Holding Unsecured Nonpriority ClaimsSubtotal  
(Total of this page) \$ **2,914.00**(Use only on last page of the completed Schedule F. Report also on  
the Summary of Schedules, and if applicable, on the Statistical  
Summary of Certain Liabilities and Related Data.)Total  
\$ **57,932.00**



SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☒ Check this box if debtor has no executory contracts or unexpired leases.

| NAME AND MAILING ADDRESS, INCLUDING ZIP CODE<br>OF OTHER PARTIES TO LEASE OR CONTRACT | DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST.<br>STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY.<br>STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT. |
|---|--|
|   |  |



SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on From 22A, 22B, or 22C.

|  |  |   |
|--|--|---|
| Debtor's Marital Status<br><b>Married</b>                                  | DEPENDENTS OF DEBTOR AND SPOUSE  |   |
|  | RELATIONSHIP(S):<br><b>Son<br/>Daughter<br/>Son</b>                            | AGE(S):<br><b>18<br/>17<br/>7</b>   |
| EMPLOYMENT: DEBTOR   |  | SPOUSE  |
| Occupation<br>Name of Employer<br>How long employed<br>Address of Employer | <b>Cook<br/>Dennys<br/>2 years<br/>203 E Main St<br/>Spartanburg, SC 29319</b> | <b>Shipping<br/>Partylite Worldwide, Inc.<br/>2 years<br/>One East Weaver St<br/>Greenwich, CT 06831-5118</b> |

|  |                    |                    |
|--|--------------------|--------------------|
| <b>INCOME:</b> (Estimate of average or projected monthly income at time case filed)  | DEBTOR             | SPOUSE             |
| 1. Current monthly gross wages, salary, and commissions (prorate if not paid monthly)  | \$ <b>2,984.67</b> | \$ <b>1,878.93</b> |
| 2. Estimated monthly overtime  | \$                 | \$                 |
| <b>3. SUBTOTAL</b>   | <b>\$ 2,984.67</b> | <b>\$ 1,878.93</b> |
| 4. LESS PAYROLL DEDUCTIONS   |                    |                    |
| a. Payroll taxes and Social Security   | \$ <b>535.91</b>   | \$ <b>238.33</b>   |
| b. Insurance   | \$                 | \$                 |
| c. Union dues  | \$                 | \$                 |
| d. Other (specify) <b>401K Loan</b>  | \$                 | \$ <b>169.15</b>   |
| <b>5. SUBTOTAL OF PAYROLL DEDUCTIONS</b>   | <b>\$ 535.91</b>   | <b>\$ 407.48</b>   |
| <b>6. TOTAL NET MONTHLY TAKE HOME PAY</b>  | <b>\$ 2,448.76</b> | <b>\$ 1,471.45</b> |
| 7. Regular income from operation of business or profession or farm (attach detailed statement)   | \$                 | \$                 |
| 8. Income from real property   | \$                 | \$                 |
| 9. Interest and dividends  | \$                 | \$                 |
| 10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above                     | \$                 | \$                 |
| 11. Social Security or other government assistance (Specify)   | \$                 | \$                 |
| 12. Pension or retirement income   | \$                 | \$                 |
| 13. Other monthly income (Specify)   | \$                 | \$                 |
| <b>14. SUBTOTAL OF LINES 7 THROUGH 13</b>  | <b>\$</b>          | <b>\$</b>          |
| <b>15. AVERAGE MONTHLY INCOME</b> (Add amounts shown on lines 6 and 14)  | <b>\$ 2,448.76</b> | <b>\$ 1,471.45</b> |
| <b>16. COMBINED AVERAGE MONTHLY INCOME:</b> (Combine column totals from line 15; if there is only one debtor repeat total reported on line 15) | <b>\$ 3,920.21</b> |                    |

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:  
**None**

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

|   |             |
|---|-------------|
| 1. Rent or home mortgage payment (include lot rented for mobile home)                                       | \$ 1,433.00 |
| a. Are real estate taxes included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>      |             |
| b. Is property insurance included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>      |             |
| 2. Utilities:   |             |
| a. Electricity and heating fuel   | \$ 255.00   |
| b. Water and sewer  | \$ 57.00    |
| c. Telephone  | \$ 95.00    |
| d. Other Cable And Internet   | \$ 55.00    |
| Cell Phone  | \$ 50.00    |
| 3. Home maintenance (repairs and upkeep)  | \$          |
| 4. Food   | \$ 500.00   |
| 5. Clothing   | \$ 150.00   |
| 6. Laundry and dry cleaning   | \$ 150.00   |
| 7. Medical and dental expenses  | \$ 150.00   |
| 8. Transportation (not including car payments)  | \$ 350.00   |
| 9. Recreation, clubs and entertainment, newspapers, magazines, etc.   | \$ 100.00   |
| 10. Charitable contributions  | \$          |
| 11. Insurance (not deducted from wages or included in home mortgage payments)                               |             |
| a. Homeowner's or renter's  | \$          |
| b. Life   | \$          |
| c. Health   | \$          |
| d. Auto   | \$ 125.00   |
| e. Other  | \$          |
| 12. Taxes (not deducted from wages or included in home mortgage payments)                                   |             |
| (Specify)   | \$          |
| 13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan) |             |
| a. Auto   | \$          |
| b. Other Second Mortgage  | \$ 250.00   |
| 14. Alimony, maintenance, and support paid to others  | \$          |
| 15. Payments for support of additional dependents not living at your home                                   | \$          |
| 16. Regular expenses from operation of business, profession, or farm (attach detailed statement)            | \$          |
| 17. Other Personal Care And Grooming  | \$ 150.00   |
| Vehicle Repair & Maintenance  | \$ 50.00    |
| Bank Fees & Postage   | \$ 15.00    |

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.

\$ 3,935.00

19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document:

None

|  |             |
|--|-------------|
| 20. STATEMENT OF MONTHLY NET INCOME                  |             |
| a. Average monthly income from Line 15 of Schedule I | \$ 3,920.21 |
| b. Average monthly expenses from Line 18 above       | \$ 3,935.00 |
| c. Monthly net income (a. minus b.)                  | \$ -14.79   |

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 21 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: July 21, 2008 Signature: /s/ Refugio Garcia  
Refugio Garcia Debtor

Date: July 21, 2008 Signature: /s/ Silvia Garcia  
Silvia Garcia (Joint Debtor, if any)

[If joint case, both spouses must sign.]

DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer Social Security No. (Required by 11 U.S.C. § 110.)

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.

Address

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

IN RE:

Case No. \_\_\_\_\_

Garcia, Refugio & Garcia, Silvia

Chapter 7

Debtor(s)

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### DEFINITIONS

**"In business."** A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

**"Insider."** The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

- None ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal year rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| AMOUNT    | SOURCE                                |
|-----------|---------------------------------------|
| 52,000.00 | 2006 income from employment           |
| 55,000.00 | 2007 income from employment           |
| 4,863.60  | 2008 income from employment (monthly) |

#### 2. Income other than from employment or operation of business

- None ☐ State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 3. Payments to creditors

*Complete a. or b., as appropriate, and c.*

- None ☒ *a. Individual or joint debtor(s) with primarily consumer debts:* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒ b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒ c. All debtors: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| CAPTION OF SUIT<br>AND CASE NUMBER                  | NATURE OF PROCEEDING | COURT OR AGENCY<br>AND LOCATION     | STATUS OR<br>DISPOSITION      |
|---|----------------------|-------------------------------------|-------------------------------|
| <b>TCF v Debtor 07 CH 27988</b>                     | <b>Foreclosure</b>   | <b>Circuit Court of Cook County</b> | <b>Judgment for Plaintiff</b> |
| <b>Wells Fargo v. Debtor 07 CH 002758</b>           | <b>Foreclosure</b>   | <b>Circuit Court of Cook County</b> | <b>Judgment for Plaintiff</b> |
| <b>Beneficial Illinois, Inc. v Debtor 08 AR 229</b> | <b>Collection</b>    | <b>Circuit Court of Cook County</b> | <b>Judgment for Plaintiff</b> |
| <b>Chase Bank v. Debtor 07 M1 134621</b>            | <b>Collection</b>    | <b>Circuit Court of Cook County</b> | <b>Judgment for Plaintiff</b> |

None ☒ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 5. Repossessions, foreclosures and returns

None ☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 6. Assignments and receiverships

None ☒ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 7. Gifts

None ☒ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 8. Losses

None ☒ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 9. Payments related to debt counseling or bankruptcy

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

**Gleason & Gleason**  
**77 W Washington, Ste 1218**  
**Chicago, IL 60602**

DATE OF PAYMENT, NAME OF  
 PAYOR IF OTHER THAN DEBTOR  
**5/23/2008**

AMOUNT OF MONEY OR DESCRIPTION  
 AND VALUE OF PROPERTY  
**351.00**

**10. Other transfers**

None ☐ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒ b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

**11. Closed financial accounts**

None ☒ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**12. Safe deposit boxes**

None ☒ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**13. Setoffs**

None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**14. Property held for another person**

None ☒ List all property owned by another person that the debtor holds or controls.

**15. Prior address of debtor**

None ☒ If debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**16. Spouses and Former Spouses**

None ☒ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

**17. Environmental Information**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None ☒ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.



None ☒ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None ☒ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

**18. Nature, location and name of business**

None ☒ a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

None ☒ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

*[If completed by an individual or individual and spouse]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: July 21, 2008 Signature /s/ Refugio Garcia  
of Debtor **Refugio Garcia**

Date: July 21, 2008 Signature /s/ Silvia Garcia  
of Joint Debtor **Silvia Garcia**  
(if any)

0 continuation pages attached

*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.*

IN RE:

Garcia, Refugio & Garcia, Silvia

Case No. \_\_\_\_\_

Chapter **7**

Debtor(s)

**CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

- ☒ I have filed a schedule of assets and liabilities which includes debts secured by property of the estate.  
☐ I have filed a schedule of executory contracts and unexpired leases which includes personal property subject to an unexpired lease.  
☒ I intend to do the following with respect to the property of the estate which secures those debts or is subject to a lease:

| Description of Secured Property            | Creditor's Name              | Property will be Surrendered | Property is claimed as exempt | Property will be redeemed pursuant to 11 U.S.C. § 722 | Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c) |
|--|------------------------------|------------------------------|-------------------------------|---|--|
| Rental Property located at 3459 W 23rd, CI | City Of Chicago - Water Dept | ✓                            |                               |   |  |
| Single Family Residence located at 418 S 1 | Emc Mortgage                 | ✓                            |                               |   |  |
| Single Family Residence located at 418 S 1 | Gmac Mortgage                | ✓                            |                               |   |  |
| 2000 Chevy Blazer                          | State Farm Fnci Svcs F       | ✓                            |                               |   |  |
| Rental Property located at 3459 W 23rd, CI | Tcf Banking And Savings      | ✓                            |                               |   |  |

| Description of Leased Property | Lessor's Name | Lease will be assumed pursuant to 11 U.S.C. § 362(h)(1)(A) |
|--------------------------------|---------------|--|
|                                |               |  |

07/21/2008

/s/ Refugio Garcia

/s/ Silvia Garcia

Date

Refugio Garcia

Debtor

Silvia Garcia

Joint Debtor (if applicable)

**DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. § 110.)

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.*

Address

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

*A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

IN RE:

Case No. \_\_\_\_\_

Garcia, Refugio & Garcia, Silvia

Chapter 7

Debtor(s)

**VERIFICATION OF CREDITOR MATRIX**

Number of Creditors 34

The above-named Debtor(s) hereby verifies that the list of creditors is true and correct to the best of my (our) knowledge.

Date: July 21, 2008

/s/ Refugio Garcia

Debtor

/s/ Silvia Garcia

Joint Debtor

Garcia, Refugio  
418 S Villa Ave  
Addison, IL 60101

City Of Chicago - Water Dept  
PO Box 6330  
Chicago, IL 60680-6330

Home Depot Credit Services  
Attn Bankruptcy  
PO Box 9101  
Des Moines, IA 50368-0001

Garcia, Silvia  
418 S Villa Ave  
Addison, IL 60101

Cook County Treasurer's Office  
118 N. Clark St., Suite 112  
Chicago, IL 60602

Illinois Department Of Revenue  
Bankruptcy Section Level 7-425  
100 W Randolph St  
Chicago, IL 60601-3218

Gleason & Gleason  
77 W Washington, Ste 1218  
Chicago, IL 60602

Credit Protection Asso  
Po Box 802068  
Dallas, TX 75380

Kohls/chase  
Po Box 3120  
Milwaukee, WI 53201

All Credit Lenders  
691 W North Ave  
Elmhurst, IL 60126

David T Cohen & Associates, LTD  
10729 W 159th St  
Orland Park, IL 60467

Michael D Fine  
131 S Dearborn St  
Chicago, IL 60603-5517

American General Finan  
20 N Clark St  
Chicago, IL 60602

Emc Mortgage  
Po Box 293150  
Lewisville, TX 75029

Natlamerican  
1 Allied Drive  
Trevose, PA 19053

Bally Total Fitness  
Attn Member Services  
PO Box 1090  
Norwalk, CA 90651-1090

Fms Inc  
PO Box 707600  
Tulsa, OK 74170

Nicor Gas  
1844 Ferry Road  
Naperville, IL 60507

Beneficial/hfc  
961 Weigel Dr  
Elmhurst, IL 60126

Friedman & Wexler  
500 W Madison St Ste 2910  
Chicago, IL 60661-4571

Nissan Motor Acceptanc  
Po Box 660366  
Dallas, TX 75266

Chase  
Po Box 100018  
Kennesaw, GA 30156

Gmac Mortgage  
1100 Virginia Drive  
Fort Washington, PA 19034

Pierce And Associates  
1 N Dearborn St Ste 1300  
Chicago, IL 60602-4331

Citi  
Po Box 20507  
Kansas City, MO 64915

H & R Block Bank  
PO Box 3052  
Milwaukee, WI 53201-3052

Short Term Loans Llc  
1400 E Touhy Ave Ste 108  
Des Plaines, IL 60018-3338

Citifinancial Retail S  
Po Box 140489  
Irving, TX 75014

H And F Law  
33 N Lasalle  
Chicago, IL 60602

State Farm Fncl Svcs F  
Po Box 5961  
Madison, WI 53705

Target Nb  
Po Box 673  
Minneapolis, MN 55440

TCF  
800 Burr Ridge Pkwy  
Burr Ridge, IL 60527-6486

Tcf Banking And Savings  
801 Marquette Ave  
Minneapolis, MN 55402

Thd/cbsd  
Po Box 20507  
Kansas City, MO 64195

Wffinancial  
Po Box 60510  
Los Angeles, CA 90060

Wffinancial  
9620 S Roberts Rd  
Hickory Hills, IL 60457

Worldwide Asset Purcha  
101 Convention Center St  
Las Vegas, NV 89109

IN RE:

Case No. \_\_\_\_\_

Garcia, Refugio & Garcia, Silvia

Chapter 7

Debtor(s)

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept ..... \$ **676.00**

Prior to the filing of this statement I have received ..... \$ **351.00**

Balance Due ..... \$ **325.00**

2. The source of the compensation paid to me was: ☒ Debtor ☐ Other (specify):
3. The source of compensation to be paid to me is: ☒ Debtor ☐ Other (specify):
4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
- ☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.
5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
  - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
  - d. ~~Representation of the debtor in adversary proceedings and other contested bankruptcy matters;~~
  - e. [Other provisions as needed]
6. By agreement with the debtor(s), the above disclosed fee does not include the following services:  
**Litigation/Adversary Proceedings**  
**Motions to Redeem \$400.00**  
**Credit Education Fees**

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

July 21, 2008

Date

/s/ Derek Lofland

Signature of Attorney

Gleason & Gleason

Name of Law Firm

Certificate Number: 00437-ILN-CC-004077797

### **CERTIFICATE OF COUNSELING**

I CERTIFY that on May 24, 2008, at 4:25 o'clock PM MDT,

Silvia Garcia received from

Black Hills Children's Ranch, Inc.,

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

Northern District of Illinois, an individual [or group] briefing that complied

with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by telephone.

Date: May 24, 2008

By /s/Flora Perez

Name Flora Perez

Title Credit Counselor

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

Certificate Number: 00437-ILN-CC-004077792

**CERTIFICATE OF COUNSELING**

I CERTIFY that on May 24, 2008, at 4:20 o'clock PM MDT,

Refugio R Garcia received from

Black Hills Children's Ranch, Inc.,

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

Northern District of Illinois, an individual [or group] briefing that complied

with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by telephone \_\_\_\_\_.

Date: May 24, 2008

By /s/Flora Perez

Name Flora Perez

Title Credit Counselor

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).



## IN RE:

Case No. \_\_\_\_\_

Garcia, Refugio & Garcia, Silvia

Debtor(s)

Chapter 7**DECLARATION REGARDING ELECTRONIC FILING**

Signed by Debtor(s) or Corporate Representative

**To Be Used When Filing over the Internet****PART I - DECLARATION OF PETITIONER**

A. To be completed in all cases.

Date: 6-27-08

I(We) Refugio Garcia and Silvia Garcia, the undersigned debtor(s), corporate officer, partner, or member, hereby declare under penalty of perjury that the information I(we) have given my (our) attorney, including correct social security number(s) and the information provided in the electronically filed petition, statements, schedules, and if applicable, application to pay filing fee in installments, is true and correct. I(we) consent to my(our) attorney sending the petition, statements, schedules, and this DECLARATION to the United States Bankruptcy Court. I(we) understand that this DECLARATION must be filed with the Clerk in addition to the petition. I(we) understand that failure to file this DECLARATION will cause this case to be dismissed pursuant to 11 U.S.C. sections 707(a) and 105.

B. To be checked and applicable only if the petitioner is an individual (or individuals) whose debts are primarily consumer debts and who has (or have) chosen to file under chapter 7.

☒ I(we) am(are) aware that I(we) may proceed under chapter 7, 11, 12, or 13 of Title 11 United States Code; I(we) understand the relief available under each such chapter; I(we) choose to proceed under chapter 7; and I(we) request relief in accordance with chapter 7.

C. To be checked and applicable only if the petition is a corporation, partnership, or limited liability entity.

☐ I declare under penalty of perjury that the information provided in this petition is true and correct and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter specified in the petition.

Signature: Refugio Garcia  
(Debtor or Corporate Officer, Partner or Member)

Signature: Silvia Garcia  
(Joint Debtor)